IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

W.P.NO. 500 / 2002

PETITIONER : R.L.Amravanshi, S/o Shri N. L. Amravanshi, aged about 55 Years, Presently posted as Chief Vigilance Officer, South Eastern Coalfields Ltd., Bilaspur (C.G.)

V E R S U S

RESPONDENTS : 1. Union of India through Secretary Ministry of Coal, New Delhi.

2. Coal India Limited, a Company incorporated under the Co.'s.Act and Undertaking of Government of India through its Chairman, 10, Netaji Subhash Road, Kolkata-700 003 (West Bengal)

3. Secretary, Ministry of Home Affairs [IPC III Section], Govt. of India, North Block, New Delhi.

4. South Eastern Coalfields Ltd., Through its Chairman-cum-Managing Director, SECL HQs. Seepat Road, Bilaspur (CG)

P. R. No. 500/02 Presented by Shri A. Shri V. Tamrakar dated 04.03.02

Received by on 4/3/02 for AG Chhattisgarh STCGSC

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, PROHIBITION, CERTIORARI AND FOR OTHER APPROPRIATE WRIT/WRITS, DIRECTION/DIRECTIONS, ORDER/ORDERS:

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(60)

आदेश पत्रक

मामला क्रमांक W.P. 500/2002 सन् ~~200~~

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	06.03.2002 Heard Shri Manindra Shrivastava, learned counsel for the petitioner, Shri P.S.Nair, Senior Counsel with Mr. Pendse, learned counsel for respondents No.2 & 4 and Shri A.S.Gaharwar, Central Government Standing Counsel for respondents No.1 & 3. The petitioner has in this petition sought for quashing of the decision, if any, taken by the respondent No.1 rejecting the application of the petitioner for extension by declaring the same as illegal, arbitrary and inoperative under the law and issue a writ in the nature of mandamus directing the respondent No.1 to take just and fair decision on the petitioner's representation by taking into consideration relevant material in accordance with law, restraining the respondents from discontinuing the petitioner from the office of Chief Vigilance Officer till the matter is just and fairly considered in accordance with law as per the practice of this Hon'ble Court. Return has been filed on behalf of respondents No.2 & 4 raising preliminary objections. The objection is that the petitioner is a	

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

61

आदेश पत्रक

मामला क्रमांक W.P. 500/2002 सन् ~~200~~

विरुद्ध

आदेश का दिनांक व आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Government of India employee and his deputation was ordered by the Government of India and closure of deputation was also made by the Union of India. In the circumstances, this Court has no jurisdiction to entertain the Writ Petition filed by the petitioner and the petitioner has to approach the Central Administrative Tribunal for appropriate relief.

It is not disputed that the petitioner is a Government of India employee and he was deputed to respondent No.2-Coal India Limited for three years.

In the circumstances, I am of the opinion that in view of the judgment in the case of L. Chandra Kumar Vs. Union of India and others, reported in (1997) 3 Supreme Court Cases 261, this Court has no jurisdiction to entertain the present Writ Petition. The remedy to the petitioner is only to approach the Central Administrative Tribunal for appropriate relief.

Accordingly, the Writ Petition is dismissed. The liberty is reserved to the petitioner to approach the Central Administrative

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

62

आदेश पत्रक

मामला क्रमांक W.P. 500/2002 सन् ~~200~~

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Subbu/Ak	Tribunal for appropriate relief. If the petitioner approaches the Central Administrative Tribunal with an application for appropriate interim order, the Tribunal would consider the same and pass appropriate orders in accordance with law. Sd/- Chief Justice	